



COUNTY OF ERIE

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DEPARTMENT OF LAW

August 8, 2024

Honorable John L. Sinatra, Jr.
United States District Court Western District of New York
United States Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: Heeter, Benjamin, et al. v. Michael Keane, Acting, DA, et al.
Our File No.: 9-20240010
Case No.: 1:24-cv-00623-JLS

Dear Judge Sinatra:

I am writing to request a modification to the schedule provided for in two text orders recently issued by this Honorable Court. Text Orders 13 and 16 concern the scheduling for motions to dismiss filed by the defendants. Specifically, these orders schedule oral arguments on the motions for September 19th.

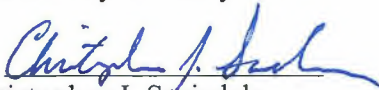
My daughter is due to be born on September 22nd, and, in the case of an early delivery, I would be unable to participate in arguments as scheduled by the Court. I have conferred with counsel for all parties, and they have consented to the following proposed schedule:

- August 23rd, 2024 – Plaintiffs' opposition to motion to dismiss filed by Letitia James and Steven G. James is due.
- August 30th, 2024 – Plaintiffs' opposition to motion to dismiss filed by Michael J. Keane is due.
- September 6th, 2024 – Replies, if any, for all defendants are due.
- September 13th, 2024 – Oral arguments to be heard at a time agreeable to the Court.

If the above proposed schedule is acceptable to the Court, I respectfully request you issue an order setting the same. Thank you for your time and consideration.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

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